

# EXHIBIT A

**From:** Zach Savage <ZSavage@susmangodfrey.com>  
**Sent:** Thursday, May 16, 2024 10:50 AM  
**To:** OpenAICopyright@mofo.com; openaicopyrightlitigation.lwteam@lw.com; KVP-OAI;  
NYClassActions\_Microsoft\_OHS; NewYorkTimes\_Microsoft\_OHS;  
MicrosoftNYClassActionFDBR@faegredrinker.com  
**Cc:** NYT-AI-SG-Service@simplelists.susmangodfrey.com  
**Subject:** NYT v. Microsoft et al. - Amended Complaint

**[EXTERNAL]**

Counsel:

The Times intends to amend its complaint to assert claims based on additional, pre-1950 registered works. The amendment would not change any claims or theories that The Times is asserting; the sole change would be to add additional works. Do OpenAI and Microsoft consent to such an amendment?

If so, please also let us know whether OpenAI and Microsoft would consent to adjourning the deadline for amending the complaint (set for this coming Monday) to thirty days after any ruling by the Court on the pending motions to dismiss.

Given the upcoming deadline, we would appreciate hearing back from you by COB tomorrow. As always, please let me know if you'd like to discuss by phone.

Best,  
Zach

**Zach Savage | Susman Godfrey LLP**  
212-729-2022 (office) | 201-615-3944 (cell)